(10.)
BIBLIOTHECA BODLEIANA

THE MATCHING OF THE Magistrates Authority, AND THE CHRISTIANS TRUE LIBERTY IN Matters of RELIGION.

VVherein is clearly stated, How farre the Magistrate may impose or restrain in matters of FAITH and VVORSHIP, And how far forth the Christian may challenge Freedome and Exemption.

In a Sermon preached at the Assizes at DORCHESTER, Jul. 17. 1651.

By WILLIAM LYFORD B.D. and late Minister of *Sherborn* in *Dors.*

LONDON,
Printed for R. ROYSTON, and are to be sold by *Tho: Miller* Booke-seller in *Sherborne.* 1654.

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TO THE HONOURABLE, Sir GERARD NAPPER, Knight and Baronet.

Moſt Honoured *SIR*,

THE World doth much call for this little worke of my Fathers, who is now with God. And the Communion of Saints being ſo great a part of our moſt holy Faith, I dare not keep it back from any Chriſtian mans enjoyment; Yet it being a piece, which was formed in your ſervice, while you were She-riffe of Dorſet-*ſhire, I refuſe to ſend it forth but with your cognizance, and under your Patronage. It is juſt, that having beene borne, as it were, in your houſe, it ſhould not become the propertie of others,*

without a ſpeciall reſerve of its chiefe homage unto your ſelfe. When it was preached to you from the Pulpit, it found your great acceptance: I hope it ſhall finde as great, now it ſalutes you from the Preſſe. And if it ſhall be ſtill as welcome to your eye as it was then unto your eare, it will much encourage me to inherite as well my Fathers affections to you as his name, and to let you ſee, that though he be dead, yet there is ſtill alive

Moſt honour'd SIR,

Your faithfull and humble Servant,
WILL: LYFORD.

From my Study in
Mag. Coll. *Oxon.*
Octob. 22. 1653.

DAN. 3.14. to 18.

Is it true ô SHADRACH, &c.

THeſe two things, *The Truths of Chriſt*, and *Peace among Brethren*, ought to be precious to every Son of the Church · 'Twas a bleſſed time when the multitude of *Believers* were of *one heart*, and *one Soule*, when they held Communion in Doctrine and Fellowſhip, in breaking of Bread and Prayers, they heard together, they received together, they prayed together; and according to this primitive Patterne, all good Chriſtians ſhould endeavour to walk, and thoſe Churches are happy which hold that bleſſed knot of Truth and Love: Contrary whereunto are thoſe two reigning evils among us at this day, viz. *Wantonneſſe of Spirit*, and *Pride of Spirit*; Through the wantonneſſe of mens ſpirits craving an abſolute liberty in matters of God, the ſacred Truths of God are corrupted and vilified; And through the Pride of mens ſpirits on the other hand, impoſing matters of Opinion and Worſhip under temporall penalties, the Quiet of mens Conſciences, and Unity among Brethren is exceedingly diſturbed and unſetled. There is much evill in both extreams, either that all things ſhould be tolerated, or Nothing; that Nothing ſhould be reſtrained, or that All things ſhould be impoſed, and rigidly enforced under temporall inflictions; the one leads to Hereſie and Atheiſme, the other to Pereſcution. Now to ſhape a courſe out of Gods Word: 1. How the ſacred Truths of God, and the preciousSouls of Men, (thoſe great truths committed to our charge.) And 2. How the juſt Liberty of Conſcience (for I meddle not without my line) with due reverence to Authority may be preſerved pure and blameleſſe, is the ſcope of my enſuing diſcourſe, unto which ends I ſhall endeavour to drive with all clearneſſe, Chriſtian Moderation and Sobriety, from the words now read in your eares. Acts

Whether *Nebuchadnezzar* did erect this huge Statue of ſuch a vaſt coſt (for it was of Gold) and bigneſſe (60. cubits high) out of ambition and vaine-glory, as a Monument of his Greatneſſe and Magnificence, -- or out of Blinde Zeale to his God *Bell*, to whom it was dedicated, -- or out of Policy to bring all his Dominions and People to an Uniformity in Religion and Worſhip, the better to prevent Diſſentions and Diviſions in his Kingdome, which might be occaſioned by the exerciſe of the Jewes Religion now ſcattered amongſt them? Whether all, or any of theſe things might move him, I determine not; But moſt likely it is, that there was ſomething of Deſigne in it, for the Princes of *Babylon*, ſeeing their Greatneſſe and Glory eclipſed by Strangers and Captives, moved with Envy and Indignation, adviſed the King to ſuch a ſpecious Action of Devotion, whereby they might intrap, and work the ruine of thoſe Jewiſh Commanders, for *ver.* 12. they informe againſt *Shadrach*, *Meſhach* and *Abednego*, that *theſe men have not regarded thee ô King, they ſerve not thy Gods, nor worſhip the Golden Image which thou haſt ſet up*: Upon this information *Nebuchadnezzar* ſends for them, and beſpeaks them in the words of my Text, *Is it true O Shadrach, Meſhach, and Abednego, do not ye ſerve my Gods, nor worſhip the Image which I have ſet up?* q. d. I ſhould leaſt of all men expected this from you, you, who are at my mercy, you that have been ſo highly advanced by me: He uſed them civilly (as the Phraſe is) yet cruelly, he did not preſently condemne them till he had heard their defence, and in his ſpeech he did ſeeke to win them, as unwilling to believe it to be true, which was informed, *Is it true O Shadrach, that you do not ſerve my Gods*, ver. 14. perhaps it was an over-ſight, or ſome needleſſe ſcruple in you, or a miſ-information to me, I ſhall be willing to paſſe it by, if now at laſt you will conforme; Take time to conſider of it; But if you perſiſt, I cannot help you, you muſt be caſt into the *fiery Fornace*, for ſo is the Law, ver. 15. Then followes their Anſwer, ver. 16, 17. *We are not careſull to anſwer thee in this matter*, as if they ſhould ſay, your Majeſty is not miſ-informed, we did not worſhip your Gods, and the truth is, we cannot, we are ſufficiently adviſed and reſolved in this matter, we crave no farther

farther time for conſultation; And whereas you threaten us with Death for our refuſall, this is no ſatisfaction to our Conſcience, nor diſcharge of our Duty, we are not moved with thy threatnings, we are ready to ſacrifice our lives to the will and command of our God, rather than our Conſcience, or Religion to thy will: It is a poor Religion, and a poor God, that is not worth the dying for. And if our God ſee cauſe by this meanes to call for our lives, we are contented to pay a debt of Nature in a debt of Duty; and yet we know that he can deliver us from thy Fornace, if it ſeeme good unto him, but if not, we cannot gratifie thee in this matter, *Wee will not ſerve thy Gods*, we rather yeild our bodies, and Gods will be done.

In which Conference note two remarkable Acts,

1. One of the King, enjoyning an Act of Worſhip upon men of a different judgement, and thoſe, poore Captives, under the ſharpeſt penaltie.

2. The other of the poor vanquiſhed Captives, their refuſall, chuſing rather to ſuffer, than to ſin againſt God, reſolving in the way of Dutie to truſt God with their lives, *ver.* 16, 17, 18.

Sundry particulars are obſervable, but I ſhall reduce the whole into 2. Doctrines.

1. Though the civill power hath much to do in matters of Religion, yet it may not compell, or enforce under temporall penalties to an Act of Worſhip, either in it ſelfe evill, or evill in the judgement of him upon whom it is impoſed: [*Nebuchadnezzar* ſets up an Image, requires a Worſhip to it uuder pain of death: This was ill in him, and the like is ill in any man elſe.] *Doctr.* 1.

D. 2. From their Anſw. is this, To cleave to Gods will and ways againſt all humane dread and terror, out of a confident perſwaſion that God is Lord of our lives, able to deliver, and in an humble reſignation to his wiſdome whether he will deliver or not in ſuch a ſtrait, is a ſtrength of ſpirit to be endeavoured after by all that feare God and would keep a good conſcience: Thus did theſe three men. *Doctr.* 2.

I begin with the firſt Doctrine: Though the Civill Power, &c. This *Doctr.* 1.

This Truth is evidenced by the Repentance of *Nebuchadnezzar*, v. 28. *Bleſſed be God that hath changed the Kings word:* By this Retractation he condemns his former crueltie. Note that paſſage of *Pauls* Repentance recorded, *Acts* 26.11. *I puniſhed them oft in every Synagogue, and compelled them to blaſpheme:* It was a great weakneſſe in them to blaſpheme, but it was a great wickedneſſe in *Paul* to compell them; and thus much S. *Paul* confeſſeth, that it is an Act of Perſecution to compell poor Chriſtians to deny what they believed concerning Jeſus Chriſt.

Obj. *It may be ſaid, S.* Paul *ſinned becauſe he compelled to that which was evil (as here* Nebuchadn. *did) elſe he needed not to repent of what he had done.*

Sol. 1. That which he did, was not evill in the judgement of Authority; for *verſe* 10. Saint *Paul* had a *Commiſſion* ſo to do.

2. Nor was it evill in the judgement of his owne Conſcience, for he verily thought, that he ought to doe many things againſt the name of Jeſus, *ver.* 9. The evill of his acting therefore did not lie only in the Object whereunto he compelled, but in the very act of compelling Chriſtians to go againſt their owne Conſciences.

3. To put the ſinfulneſſe of compelling upon the Object, is altogether unſatisfactory, for the queſtion will ſtill recurre, who ſhall judge of the right? Is not every Power judge of its owne right? They that think it juſt to compell others to yeild to an unknown truth, or duty, will think it hard to be compelled to a like unknown duty by a contrary Power; And yet Error in Power, thinks it hath as much right to a forcible impoſition, as Truth hath when it is in Power.

Sol. 4. Note from this Confeſſion of S. *Paul* two things,

1. That an erring Conſcience does not excuſe in caſe of miſactings; Perſwaſion of Conſcience is not the ground, nor prime rule of mens actings, (for the Conſcience it ſelfe muſt be regulated, elſe it will be a falſe witneſſe of God. As Conſcience is ſet between God and us, ſo it muſt ſpeak from God to us, not from Satan, or any Spirit of deluſion.) Saint *Paul* verily thought he ought to doe many things contrary to the Name of Jeſus, yet was he not thereby excuſed; he did it not

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in malice, but his erring conſcience put him upon that action, which was damnable.

2. Note, that the plea of authority is not a ſufficient diſcharge before God, for *Paul* had Commiſſion for what hee did. But he and his Commiſſion were wicked, and I believe that many are and may be damned for their miſactings, though they have authority for what they do, yea, though they be alſo in conſcience perſwaded that they do nothing but what is good, as the *Jewes* that crucified Chriſt, and they of whom Chriſt ſpeakes *Joh.*16.2. *He that kills you, will thinke they do God good ſervice*: *Paul* had been damned for his perſecuting, unleſſe hee had repented, though he did it ignorantly. *Joh.* 16. 2.

Thus for the proofe in generall, There be two Branches of our Doctrine. 1. That the Civill Magiſtrate may do much in matters of Religion. 2. Yet not this, *viz.* to impoſe under temporall penalties; There be two extremes, ſome thinke the Magiſtrate has nothing to do in matters of Religion; others, that he may do what hee liſt. Some claime an abſolute freedome from all Civill Power, as being for matter of Faith and Worſhip under Chriſt your King alone. Others challenge to the Magiſtrate a Power of impoſing the publikely owned and eſtabliſhed Religion: The one is too looſe, the other too rigid.

The right or wrong apprehending and executing of this practicall point is of great good, or great miſchiefe to the Church of Chriſt: therefore for diſtinct proceeding, I ſhall endeavor to reſolve theſe two Queſtions [1. *What the Civill Magiſtrate has to doe in matters of Religion,* [2. *What he may not doe.*

To the former, it is very much that the Civill Magiſtrate may and ought to doe for Chriſt; for though the Magiſtrates be not Chriſts Officers of his Mediatory Kingdome, as the Miniſters of the Goſpell are; The Civill Power is a Beame of Gods Soveraignity over the World, and of his providentiall Kingdome, not directly of his Kingdome of grace, yet all power is committed unto Chriſt, and God has appointed the exerciſe of his power governing the World, to be ſerviceable to the advancement of the Kingdome of his deare Son, and to the ſetting of him upon his holy Hill, according to that gracious *Qu.* 1.

promiſe made to the Churches of the *Gentiles*. Eſ. 49.23. *Kings ſhall be thy nurſing Fathers, and Queens thy nurſing Mothers.* Though they be not Fathers to beget thee, yet they ſhall be Fathers to nurſe thee up, they ſhall carry thy Sonnes and thy daughters in their Armes (*i.e.*) they ſhall contribute their aid and aſſiſtance for the upholding and enreaſing of the Church; And the Nation and Kingdome that will not ſerve thee, (when this Kingdom of Jeſus Chriſt comes to be revealed to them) He will require it at your hands, they ſhall periſh. *Eſ.* 60.12. "From "this Unction it is, that Magiſtrates are bound to ſerve "Chriſt, as Magiſtrates, that is, uſe their civill power to ſerve "Chriſts Kingdome: The adminiſtration of Civill Juſtice is not "ſufficient to give them the title of nurſing Fathers (for ſo "much the *Turk* at this day doth yeild them, and yet he is no "Nurſe Father to the Church.) But the Civill Power is to be "uſed for the Churches ſpirituall good. 1 *Tim.* 2. 2. The Ob- "ject and end of the Kings Power, is not onely the externall "peace of humane ſociety, but alſo honeſty and godlineſſe to "be procured by his Civill coactive Power, and for this cauſe "*Paul* willeth us to pray for Kings, and all that are in autho- "rity. Here's the *quod ſit*, that the Magiſtrate may do much: how much that is, will appeare in theſe foure Concluſions.

Palme 2. 10.

4. *Conc.*

1. *Propagation.* 1. For propagation of Religion and truth of Jeſus Chriſt; It is his duty to take care that the Goſpell be preached to all the people committed to his charge and governance, thus *Jehoſaphat* ſent Princes and Prieſts to teach in all the Cities of *Judah*. 2 *Chron.* 17.8.9. It is a moſt fond device to make a diſtinction between the Kings of *Judah*, and Chriſtian Princes, for what the one did by virtue of their Office, the ſame, the other ought to doe, by virtue of the ſame Office, if there be no particular exception or limitation; God enjoynes our obedience to Chriſtian Magiſtrates as well as unto them, Rom. 13.1. *Let every ſoule be ſubject*, &c. And the Scripture enjoyning the duty of the ſubject, doth eſtabliſh the authority of the Chriſtian Magiſtrate (for they are Relatives.)

2. *Protection.* 2. For protection, and ſupportation: It is the Magiſtrates duty to protect Gods Truth, worſhip, and ſervice in the exerciſe thereof againſt all violence and affronts. And for this purpoſe,

poſe, he is to take care for the maintenance and countenance of Miniſters who are to give attendance to that worke, thus *Hezekiah* ſpake comfortably unto all the *Levits* that taught the good knowledge of God. 2 *Chron.*30.22. He did alſo appoint the people to Miniſter ſuſtenance unto them.2 *Chron.*31. 4. He appointed his own portion. Moreover he commanded the people to give the portion of the Prieſts that they might be encouraged in the Law of the Lord, and they brought in abundance, the firſt fruits of Corne, Wine and Oile, and of all increaſe of the Field, and the tithe of all things brought they in abundantly. *Verſ.*5. The like we read of good *Nehemiah*, *Neh.*13.10,11,12.See the place.

3. For Reformation and Reſtraint of things which be de- 3. *Reſtraint.*
ſtructive to what he is bound to maintaine and propagate. And here the Magiſtrates duty is to reſtraine foure evils.

1. The Practiſe of Idolatry, of this there can be little doubt: 1.
Jehoſaphat, *Hezekiah*, *and Joſiah* were great Reformers, *Joſiah* put down the Idolatrous Prieſts whom the Kings of *Judah* had ſet up to burne incenſe, &c. (the like did *Hezekiah*.2 *Chro.* 31. 1.) yet Note by the way, that though thoſe Prieſts which had ſerved in the high places were degraded from doing the office of Prieſts at Gods Altar any more, yet they did eate the Bread of their God among their Brethren, 2 *Kin.*23.9. And this was according to the Law. *Levit.*21.*Ver.*21,22. *No man that hath a blemiſh, and this was typicall.*]of the Seed of *Aaron* ſhall come nigh to offer the offerings of the Lord, yet hee ſhall eate the Bread of his God. *Verſ.*22. It was not ſaid unto them, *goe dig*, *goe beg &c.* This I particularly obſerve, becauſe though ſome of our Miniſters might deſerve to be put from their Office, as unſavory Salt, yet they muſt not be made vagabonds on the earth, nor their Wifes and Children beggars: The Reformers under the N. Teſtament ſhould follow the rule & example of thoſe reformers, in the O. Teſtament, and this is required of them, *Eze.* 44.11,13,14. At the purging of the new Churches Miniſtery (there figured under *Ezekiels* Temple) thoſe that had defiled themſelves with falſe worſhip, were to be degraded from the dignity and office of a Prieſt, to doe the moſt ſervile and meaneſt offices about the Temple, yet they ſhould have where-

on to live and ſubſiſt: This I ſpeake and preſſe the rather, becauſe as there is a deſire in ſome here preſent, that the worke of Reformation ſhould proceede and be carried on in a way of righteouſneſſe and mercy, ſo there may be a fulfilling of the ſame to roll away our (that I ſay not, your) reproach.

A ſecond thing to be reſtrained, is the actuall preaching and ſpreading of hereticall and poiſonous Doctrines: I lay this reſtraint, not upon the holding of any opinion, though contrary to the publikly owned and eſtabliſhed Doctrine, becauſe opinions as opinions, being acts of the minde, are not diſcernible, and therefore not puniſhable by humane Authority, yet when ſuch dangerous opinions ſhall be publiſhed to the ſeducing and infecting of his people, then Chriſt will not have *Jezebel*, the pretended inſpired Propheteſſe, nor any other of like condition, ſuffered to ſeduce his ſervants, *Rev.*2.14. It is cleere, ſuch might be reſtrained, and in caſe ſuch falſe Teachers diſregard the cenſures of the Church, then the Magiſtrate is in this, to ſerve Chriſt, and I thinke he may take thoſe words of *Paul* for his warrant, *Gal.*5.12. Note 1. Hee ſpeakes there of falſe Apoſtles who had poiſoned that Church with ſome Jewiſh Doctrines. 2. He calls them troublers of the Church. 3. That ſuch troublers ought to be cut off, elſe *Paul* would never have wiſht it: I doe not underſtand it of a cutting off of their Lives or Eſtates, but a reſtraint of their practice, that they might no longer trouble the Church with their pernicious Doctrines; And the reſtraint upon them muſt be ſo effectuall, that they may be as if they were dead, for as long as they perſiſt in their troubleſome teaching, they are not cut off. 4. And when the Church has gon as far as it can, and prevailes nothing, then *Pauls* wiſh calls for the Magiſtrates helpe to reſtraine them, as evill workers in an high degree, and troublers of the Churches peace, which the Magiſtrate is bound to preſerve. But that place, *Zach.*13.2, 3, 5. comes more home to our purpoſe, *I will* (ſaith the Lord) *cauſe the Prophets and the uncleane ſpirit to paſſe out of the Land, And it ſhall come to paſſe, that when any ſhall yet prophecy, then his Father and Mother that begat him, ſhall ſay unto him, thou ſhalt not live, for thou ſpeakeſt lies*

Pol. 2. 3.

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in the Name of the Lord, &c. This is a plaine prophecy of the times of the Gospell: wherein note, 1. That by the Spirit of God, there is foreshewed a singular evill that should happen in the Christian Churches, *viz.* men shall beare themselves for Prophets which are none, (for they shall weare the Prophets garment to deceive.) 2. Those Prophets are Teachers of falshood. 3. This evill is to be purged away, and these men brought to shame by the Christian Magistrate: at the instance and complaint of their dearest friends, his Father and Mother shall thrust him through when he prophecieth, not with their own hands, but according to the Law, *Deut.* 13.9. They shall bring him to the Magistrate to be punished. 4. And this shall be the fruit of the Magistrate dealing with them, *viz.* they shall be ashamed of their visions, and their prophecyings *Ver.* 4.5. and shall confesse, *I am no Prophet, &c.*

2 Pet. 2. 1. Rev. 2. 14.

Verse 3.

And there is a reason, as Mr. *Burroughs* thinks, why their best friends should withstand them in this their way. 1. Because it is abhorring to nature to suffer that God, whom wee honour, to be blasphemed. 2. And to see our Wives, Children and dearest friends to be seduced into wayes, which wee thinke will undoe their soules to eternity, and not be able to helpe them; no way left to help our selves or them, unlesse we can perswade the seducer to desist, or aske them why they do so, and intreate them to forbear.

A third sort to be restrained are makers of Sects and Divisions among the people, because this is directly opposite to the Magistrates proper end, *viz.* publike Peace, and Quiet: The setting up of divisions, Church against Church, Ordinance against Ordinance, does in its owne nature tend to the disturbance of publik peace and humane society; See the danger of it, *Gal.* 5 15. *If yee bite and devour one another, Take heed yee be not consumed one of another*; if the Church of *Christ*, which should be as a City at unity within it selfe, shall nourish within its bowells contrary Sects and Divisions, there will be biting and devouring one of another, and the Churches divisions do prove the Churches consumptions.

A fourth sort to be restrained by the Magistrate are vicious livers, to the scandall of the Gospell: Though the loving

of vice be worſe than living in vice, yet the Magiſtrate cannot take notice of the affection, but of the action, to reſtraine open ſins, yea, though they be not peace-diſturbing enormities; For the Magiſtrates power is not limited to preſervation of Peace and Juſtice onely, as its adequate Object, but is extended to other evill workes and open enormities: "As for example, he is to reſtraine the polluting of the Sabbath by buying and ſelling, as *Nehemiah* did, *cap.* 13.15,16. He is to puniſh and reſtraine Drunkeneſſe, ~~*Deut.* 21.20.~~ though it be a harmeleſſe and quiet drunkard: fornication alſo and vaine ſwearing comes within his compaſs, though the publick peace be not thereby diſturbed: It is very much, you ſee, that the civill power has to do in the things of God. But againſt the Magiſtrates reſtraining power, 3. things are objected,

1 Ob. *May the Magiſtrate reſtraine me of that liberty which Chriſt hath purchaſed?*

Sol. No: but Chriſt has not purchaſed a liberty for you to be an Idolater, or an Heretick, or a maker of Sects, or a vicious Liver: Chriſt has not purchaſed a liberty for *Arrius* to deny his Godhead, nor for a Papiſt to worſhip the creature, nor for Husbandmen and keepers of cattell, to be Prophets, nor for any man to endanger the ſalvation of others; Chriſt has not purchaſed a liberty for every man to hold what hee liſt; Nor to ſerve God in his own way, for then ſome ſhould be authorized by Chriſt to blaſpheme God, and to ſerve God by ſinning againſt him. Therefore this reſtraint is juſt, and not againſt chriſtian liberty.

2. Ob. *But as good have no Religion, as no liberty to practiſe it.*

Sol. 1. Not ſo neither, in ſome kinde of things, that of *Paul*, *Rom.* 14.22. takes place, *haſt thou faith? have it to thy ſelfe*, that is, art thou certainly perſwaded concerning thy liberty in theſe things? content thy ſelfe with knowing it, and with being freed from ſuch ſcruples, yet forbeare the practiſe, in caſe of offence, *q. d.* Let no man be carried out, upon particular perſwaſion of his conſcience to doe any thing to the hurt of others: reſtraint in practiſe may ſtand with Chriſtian liberty. 1 *Cor.* 8 8.13.

Sol. 2.

Sol. 2. It is a ſweet priviledge for men of a different minde to enjoy their owne private judgement, under the civil Power, without having it drawne forth, and then puniſhed, when it is made known: It is a ſweet Priviledge, though my forme and way be denyed me, yet that I ſhall not be forced to a poſitive acting in a way that is contrary to my judgement; for ſo I enjoy both my civill Quiet, and my inward Peace.

Sol. 3. There is no juſt complaint for want of Liberty, when men may have free acceſſe unto the uſe of all eſtabliſht Ordinances, which by their own confeſſion are the power of God unto ſalvation; Againe, no man is caſt out of our Communion for his diſſenting judgement, unleſſe he caſt himſelfe out; If I were in *New-England*, in *France*, or *Germanie*, I would communicate with any Congregation, that holds Chriſt the Head, and Faith the Foundation, that holds and believes the Articles of the Creed, and profeſſe Repentance towards God, And any of thoſe Nations ſhould communicate with me upon the ſame termes. My reaſon is, becauſe Communion with Chriſt the Head, and with the Catholique Church, the Body, is the root of Communion with partieular Congregations. 1. There is but One Church in the World, One Chriſt, One Faith, One Baptiſme, One Lord over all and in all. 2. Miniſters of Chriſt, are Miniſters of the Church where ever they come; we are not Miniſters ſo to one Congregation, as that we cannot exerciſe miniſteriall Acts in another Congregation. 3. The Members alſo of the Church are all baptiſed into that one Body, not into this or that Congregation, and ſo we are all Members one of another. 4. Laſtly, All the Members by vertue of their Communion with the Church-Catholique, have a right to the Ordinances all the world over, and in the Miniſters where ever they come, if they come where *Cephas* is Paſtor, they have a right in him, if where *Paul* and *Apollos* doe officiate, they have a right in them, and why ſo? becauſe you are Chriſts: ſo that the roote of Communion is becauſe I am Chriſts, and from that Head I have a right in *Apollo's*, and *Cephas*, &c. Look what makes one a Member of the Univerſall Viſible Church, the ſame ſerves to make one a Member of any particular Congregation, and ſuch a man hath right to the Ordinances

1 Co. 3. 22, 23.

dinances every where: So then our Brethren are not straightned by us, but in their owne bowels. And for them to make their owne Conceptions the rule and condition of holding Communion with us, is in effect to impose upon the Magistrate, a necessity of receding from the approved and publiquely owned Establishments.

3. Obj. *But we are freed by the late Act, to serve God in our owne way, Why then should wee bee Restrained by the Magistrate?*

Sol. That Act frees your Purses from Penalties indeed, but not your Consciences from Sin: *Moses* allowed a Bill of Divorcement, if any had put away his Wife and married another, without giving such a Bill, it had been death: But now though that Law did exempt the party from punishment, yet not from sinne, and so our Saviour told the Pharisees, from the Beginning it was not so. Thus our Statute of Usury, allowing 8. *per cent.* if the Question be, Is that Usury legall? We say, Yes: But if the Question be, Is it lawfull before God? We tell you, Nay: So in this case, you will not sanctifie the Sabbath in the publique Assemblies, if the Question be, Is this separation punishable? That Act tells you, Nay: But if the Question be, Is the Sabbath duly sanctified, and do men sin in forsaking the Assemblyes? We tell you, Yea: The Magistrate remits only the penalty, but that is no discharge of Duty before God: Humane powers may mittigate penalties, but they cannot make Sinne to be no Sin, nor Schism to be no Schism. Thus is the Magistrates restraining power vindicated.

4. There is yet one thing more belonging to the Christian Magistrate, and that is a Power to regulate and order Circumstances for the managing of an Ordinance, which in their generall nature are necessary, yet left undetermined in Scripture: as for example. It is necessary in the generall, that some place for publique Worship be chosen, that some houres be appointed, that the Minister use some Garments or other, &c. seeing in such things there must be some way or other used, and yet none is limited in Scripture, therefore the Magistrate may order this houre of 9. and 3. from publique meeting, rather than Sun-rising or Midnight; and for the Place, the Church rather than

a Taverne: and for Habit, a black Gown rather than a white Cloak: the reaſon is, becauſe that Circumſtance, which I may chuſe to my ſelfe, being free ſo to do, there being no inſtitution of Chriſt in the thing, the ſame may the civill power ordain to be obſeved by all.

Thus you have ſeen, that it is much that the Magiſtrate has to do in the things of God. 1. For Propagation: 2. For Protection of the truth. 3. For reſtraint of Idolatry, Hereſie, Diviſions, and vicious living. 4. And for ſetling outward order among his people.

Now follows the ſecond branch of our Doctrine, viz. *what the Magiſtrate may not do in matters of Religion. And here let the queſtion be, whether the civill power may impoſe an act of worſhip, and force men by temporall penalties to act againſt the convictions of their own conſcience (as here* Nebu. *did the 3. Children?) Neg.*

For anſwer 2. are to be premiſed. 1. This queſtion is not rightly reſolved by diſtinguiſhing between an act of worſhip lawfull & unlawfull, as if a true Religion might be impoſed, not a falſe; for every act of worſhip is ſuppoſed to be good in the judgement of the impoſer, and evill in the judgement of the refuſer: and they whoſe hap it is to live under contrary commands, and contrary Religions, muſt either have a bad conſcience, or a miſerable life; a bad conſcience, if he can take in all points of the compaſs, or elſe a miſerable life under ſuch change of penalties.

2. I grant, that the Magiſtrate may compell ſuch as do hold the faith, & own the worſhip (yet neglect the ſame out of an atheiſticall profanenes and irreligiouſneſs,) to preſent themſelves to every ſuch acknowledged act of Gods worſhip, as *Aſa* did, 2 *Chron.* 15. 13. *that whoſoever would not ſeek the Lord God of their Fathers ſhould be put to death, &c.* Here *Aſa* made compulſive Laws about Religion, and let the caſe be alike, the Chriſtian Magiſtrate may compell, that is, to a confeſſed, known duty, becauſe in ſuch compulſion, the Magiſtrate does not pinch upon the conſcience of the party, but upon his diſorderly outward man, forcing him to the practiſe of a duty, which in his own conſcience and practice, he confeſſeth to be a duty.

These things premiſed, to the queſtion as it is propoſed, I anſwer, that the Magiſtrate may propoſe, but not impoſe; Inſtruct

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ſtruct, but not deſtroy men of a different judgement and way; he may reſtraine any falſe way (which is contrary to that which he takes himſelf bound to maintain.) But not force to a poſitive acting againſt the convictions of their own conſcience, he may not ſet up an Image and a Fornace, he may not ſay, bow, or burne.

*Reaſ.*1. Becauſe then a falſe worſhip may be impoſed, as well as the true, and the godly men undone, by refuſing a falſe worſhip, as well as carnall people by not obſerving the true: *John Huſs, nobis catholicus fuit hæreticus*, ſaid *Bellarmine*, and was therefore burned alive at *Conſtance*: looke what reaſons one ſide gives for puniſhing of another, the ſame reaſons are brought by the other ſide to puniſh them againe for the like refuſall; the ſame argument was uſed againſt *Paul* at *Philippi*, *Acts* 16.21. [viz. *He teacheth cuſtomes which are not lawfull for us to obſerve being Romans, and at Athens*, Acts 17.18. *Hee ſetteth forth new Gods*] which *Paul* himſelf at firſt had uſed, when he perſecuted the Chriſtians.

Bell. de Laicis l.3.c.22.

*Reaſ.*2. It is againſt the nature of faith and worſhip to be forced: *ſuaderi, non cogi vult fides: Quis imponet mihi neceſſitatem aut credendi quod nolim, aut quod velim, non credendi?* I cannot believe againſt my will, neither can I disbelieve at my pleaſure, much leſſe at the will and pleaſure of another. So for worſhip, God is not pleaſed with a forced worſhip, God is to be ſerved with a perfect heart, and a willing minde, and whatſoever we performe againſt our will, or with an ill will, grudgingly, or with an unbelieving heart, not being perſwaded of the lawfulneſſe thereof, it is ſin; It is like the cutting off a Dogs neck.

3. *Reaſ.* To impoſe an act of worſhip under bodily puniſhments, to come with an Image and a Fornace, is properly that which we call ſpirituall tyranny over the conſcience, for ſeeing man cannot puniſh the conſcience directly, by an immediate ſtroak [God alone can wound and heale the conſcience:] therefore all the force and puniſhment done upon the conſcience by men, muſt be by the body: This is properly to force and Tyrannize over the conſcience, when men are brought to this ſtraite, that either the bodily eſtate muſt periſh to ſave the

the conſcience whole: or elſe the conſcience muſt be wounded to ſave the body, & the eſtate whole: This is a Lording over mens conſcience: This was the ſad condition of our Fathers that lived under the laſh of *Hen.* 8. his ſix knotted whip, I meane, the ſix *Articles*; He came with an Image and a Fornace, if the Papiſts refuſed to acknowledge his ſupremacy, they muſt be hanged for Traitors. To the Proteſtants he came with tranſubſtantiation, and a Faggot, if they refuſed to bow to that breaden Idoll, they muſt be burnt for Hereticks.

Thus ſome Biſhops requiring ſubſcription too rigidly to all the ceremonies, and ſilencing the Non-conformiſts [though men otherwiſe of quiet ſpirits, and uſefull gifts] were deemed to exerciſe a ſpirituall tyranny over mens conſciences, becauſe they came with an image and a fornace, ſubſcription, or deprivation.

The like things done by other men in other changes of times, is really the ſame ſin, though the men and names be changed: Hereupon Mr. *Burroughs* breakes out into this prayer, God grant we never meddle with any thing anſwerable to that tyranny, and exhorts thus, the tables may turne one day, wherein the ſufferers ſhall have the greateſt eaſe, and the inflicters the foreſt burthen, but God forbid that their brethren ſhould lay it upon them, though it were put into their power to do it. Hare-diviſ. P. 45. P. 63.

Reaſ. 4. Thus to enforce an act of Religion is againſt the prime dictate of nature, *All things whatſoever ye would that men ſhould do to you, do you the ſame to them, for this is the Law of nature, and of God by his Prophets.* It is a ſtrange thing to conſider how mens ſpirits and minds do alter with their condition, ſo as to thinke the ſame things juſt or unjuſt, according as it comes to their turnes to be up, or down, to be above, or beneath: men would not think it equitable to be ſo dealt with, as they deale now with others: He that ſends out groanes for liberty, if hee ſhall make others groane for lack of the ſame, though the thing impoſed be perhaps juſt and righteous, yet his act of impoſing is moſt unrighteous, becauſe he ſins againſt the light of nature, *Alteri nè feceris, &c.* and againſt the light of the Goſpell: judge this rather, that no man lay a ſtumbling block, or an occaſion to fall in his brothers way, *Rom.* 14. 13.

I ſhall now cleere two or three Objections of thoſe that

ſtand for this power of impoſing in the Magiſtrate.

1. Ob. *If Magiſtrates may not impoſe, nor compell to a Church-profeſſion, then every one may be of what Religion he liſt.*

Sol. No man can be of any other Religion than what himſelfe doth liſt, for Religion is ſeated in the underſtanding and will: A Religion which I like not, is not my Religion, though I conforme outwardly to it: An implicite faith to believe what the Church or State believes, meerly becauſe they have agreed upon it, is no faith at all. But if by being of what Religion I liſt, be underſtood thus, every one will have his own way, and ſo we ſhall nouriſh all confuſions. I Anſwer, This miſchief is prevented by the Magiſtrates reſtraining power, who as hee may not inforce you to an act of worſhip againſt your mind, ſo neither will he permit you the exerciſe of what you liſt, againſt his own minde: He will not force you to keep his dayes, or prayers, but you ſhall keep them, or none at all openly.

2. Ob. *But doth not this non-impoſing under temporall penalties, amount to that abſolute, wild toleration, which you ſeeme to condemne?*

Sol. No, toleration is taken away by his act of reſtraining; That which I reſtraine, I do not tolerate, he that reſtraines the practice of Idolatry, the ſpreading of Hereſies, *&c.* cannot be ſaid to tolerate them. This non-impoſing is not toleration, but that Chriſtian moderation which ſhould be known to all men.

3. Ob. *But muſt ſuch diſſenters as refuſe to act according as authority enjoynes, be let alone?*

Sol. No: there is a twofold remedy provided. 1. One ſpirituall for the healing and reducing of perſons going aſtray in falſe wayes of Doctrine and worſhip, *viz.* Inſtruction, Diſcipline, and Prayer: ſpirituall remedies conſcientiouſly applied, through Gods bleſſing will cure ſpirituall diſeaſes. 2. But if not, yet the Magiſtrates reſtraining power and wiſdome (as above deſcribed) is a ſoveraigne remedy, every way commenſurable to the ſuppreſſing of falſe worſhip, and of all civill diſtempers that may ariſe thereof.

4. Ob. *Will not this breed contempt of the Civill Power?*

Sol. No: Man is not deſpiſed, when God is preferred. It is Gods prerogative royall to be obeyed in what hee requires, even

even becauſe he commands it, that is, for his own Authorities ſake, Gods Commands are good, becauſe commanded by him: But mens commands are ſubject to examination, and we owe unto them, not an abſolute, but a conditionall obedience, *viz. Ex parte rei*, when the thing injoyned, is not unlawfull. And in ſuch caſe of non-obedience, the reverence due to authority is preſerved by yeilding our bodies to their power in paſſive Obedience, when wee cannot yeild our ſoules to their worſhip in an active Obedience, (as here theſe three children did.)

Uſe. I end with foure ſhort Admonitions and Cautions to the party that does diſſent, and craves not to be impoſed upon, nor forced by temporall puniſhments to act againſt the convictions of his own conſcience, let him preciſely obſerve theſe foure Rules.

Caution 1. Take heed, beware how thou dare pretend conſcience for thy non-obedience, when it is ſomething elſe, as perhaps Pride, Affectation of applauſe, Humour, Selfe-intereſt, &c. Do not dare ſo to abuſe thy conſcience, as to make it a baude to thy luſt, for then humour will be conſcience, Pride and Schiſme will be conſcience, filthy lucre and vaine-glory will be conſcience, Selfe-ends and Selfe-intereſt will be conſcience; And ſo that pretious ſparkle of Divine Majeſty ſet up in thy breaſt to keepe thee in awe of ſinne, ſhall be made a cloake for ſinne, to ſinne with the more liberty and ſecurity. As it is a great ſinne to act againſt the ſtanding indictment of our own conſcience, ſo it is a ſingular abuſe of the omnipotent, holy, ſin-revenging God, to plead conſcience for the doing, or not-doing of this or that, when as there is nothing leſſe than conſcience in the buſines; ——Such a man ſinnes with a protection, He has gotten his conſcience, yea, God himſelfe to be the protectour of his wickedneſſe; And ſuch men, if they can be diſcovered, deſerve to be twice puniſhed, once for their fault, another time for their holy pretence. 'Tis a great boldneſſe to make conſcience a Sanctuary for any diſorder.

2. Let the diſſenting party, though he cannot conforme to the Injunctions of Authority in ſome point of opinion or wor-

ſhip, yet carry himſelfe ſo innocently, peaceably, and unoffenſively in other reſpects, that the Magiſtrate may juſtifie thee, and have cauſe to ſay, *I have no occaſion or matter againſt him, ſave in the Law of his God, (as it was ſaid of* Daniel, *Dan.6.5.)*

3. For the manner of refuſall, be carefull to carry it in an humble, quiet, Selfe-denying way; do not beare it out with railing, or Pride, or Turbulence of ſpirit factiouſly or ſeditiouſly: Hee that does diſſent from the publikly owned and eſtabliſht way, hath great reaſon to be humble and jealous of his own weakneſſe. When a man by reaſon of his conſcience diſſents from the civill power, if he can enjoy his owne inward peace and outward quiet, he ſhould diſcover a very ill ſpirit to poure contempt and ſcorne upon the truths of God publikly preached, or to caſt dirt upon the wayes which he oppoſed, or contemne and vilifie thoſe that differ from him.

4. Be ſure, practically to put a difference between non-obedience, and diſobedience or Rebellion; if thou be required any thing which is contrary to thy judgement, ſit downe with a modeſt non-obedience, But let not thy ſpirit be carried out to rebell, or to ſetting up of Image againſt Image, worſhip againſt worſhip, Aſſembly againſt Aſſembly, in a viſible oppoſition to the publike.

Ob. *And if thy caſe be ſuch as that of* Peter *and* James, *Acts* 4.18. *They were commanded not to ſpeake at all, nor to teach in the Name of Jeſus, yet they did* Ver.19. *becauſe God had commanded them to preach in his Name.*

Sol. Then remember thou art under a double bond of conſcience at the ſame time, one from God, who commands thee to preach; Another from men, who command thee not to Preach; But here in this caſe, thy conſcience is diſcharged. 1. Unto God by doing what he commands thee, and 2. To the Magiſtrate by ſubmitting to his power in ſuffering, And ſo thy duty to God, and thy reverence due to authority are both preſerved. And thus I am brought to my ſecond Doctrine.

Queſt. *In caſe of injurious impoſitions, what is a Chriſtian to doe?*

Anſ. Rather yeild our bodies to the fire, than our conſci-

ence

ence to the worſhip, as theſe three worthies in my Text did: From whence my ſecond Doctrine is this, *viz.* To cleave to Gods Will and Wayes againſt all humane dread and terrour, out of a confident perſwaſion that he is Lord of our lives, able to deliver, and in an humble Reſignation to his Wiſdome, whether he will deliver or not, in ſuch a ſtraite, is a ſtrength of ſpirit to be endeavoured after, by all that feare God, and would keep a good Conſcience. 2 *Doct.*

Every circumſtance of this Doctrine is grounded on the Anſwer of *Shadrach*, *Meſhach* and *Abednego* to *Nebuchadnezzar*, *Verſ.* 16 17. To cleave to Gods Will and Wayes [ſo did they, *wee will not ſerve thy Gods, nor worſhip the Golden Image which thou haſt ſet up.*] Againſt all humane dread and terrour. [So did they, *wee are not carefull to anſwer thee in this matter.*] Out of faith or a confident perſwaſion that he is able to deliver [therefore they ſaid, *our God whom wee ſerve is able to deliver us from the burning fiery Fornace*] and in an humble Reſignation to his wiſdome, whether he will deliver in ſuch a ſtraite, or not [ſo they ſaid, *hee will deliver us out of thine hand, O King, ſcil.* if it ſeeme beſt to his Godly Wiſdome, we are not ſure, that hee will deliver us, therefore they expreſſe their confidence conditionally, [But if not] as if they had ſaid, He can, if hee will, if it be for his glory and ours, and the Churches good, deliver us, but for that, we reſigne up our ſelves to his Will and Wiſdome, and reſolve to ſtick to his wayes, and to our duties; However hee pleaſe to diſpoſe of us] is a ſtrength of ſpirit, [it is not every degree of grace that can make a man to do this,] yet it is to be endeavoured after, and reſolved on, by all that feare God, [for otherwiſe we ſhould feare a man that ſhall die, and forget the Lord our Maker, who is able to deſtroy both Body and Soule in hell, if we deny him before a ſinfull Generation of men.]

But here I muſt make an end.

Thus I have, I hope, according to promiſe, in a ſober, moderate way, unpartially held forth the cleare Minde of God in this great and buſie controverſie. How we ought to judge, and how to walke betweeen two Opinions, one of them, that bring the Civill Arme to enforce to a conformity under the temporall

rall penalties of Impriſonment, Sequeſtration,&c. and others, that plead for an abſolute freedome from all coercive power of Magiſtrates in matters of Religion.

The true uſe of this Diſcourſe lieth in the Practice, which if heeded, will produce this happy fruit, 1. God will have his Glory and true Preheminence over our Soules. 2.The Goſpell of Chriſt, its true Honour and Splendor, being propagated and protected. 3. The Devill and his inſtruments, their due ſhame, whilſt error is reſtrained and vice ſuppreſſed. 4. The Miniſters and Servants of *Jeſus Chriſt* will have their due encouragement and protection. 5. Mens conſciences their juſt Liberty. 6. The Church will enjoy more truth in Power and Purity, and Brethren more Freedom, Love, and Peace among themſelves. 7. And many thouſand Souls preſerved from periſhing through dangerous Seduction.

If in theſe or the like reſpects any Glory may redound to God, any good to the Church, I ſhall attaine the end of my Preaching, and you the Fruit of my Sermon.

FINIS.